

RECEIVED
CENTRAL FAX CENTER

AUG 20 2008

REMARKS

This paper is filed in response to the Office Action mailed 20th May 2008. Claims 1-3, 5-15, 18-23, 25 and 26 were pending in the application. No claims have been amended or cancelled. Therefore, claims 1-3, 5-15, 18-23, 25 and 26 are resubmitted for consideration.

Rejection of Claims 1-3, 5-15, 18-23, 25 and 26:

Claims 1-3, 5-15, 18-23 and 25-26 were rejected under 35 U.S.C. § 102 as being unpatentable over Dawson.

According to the official action, the Examiner considers Dawson to disclose the treatment of cloth. Reference is given to the description at col. 1, lines 5-15 and lines 115-122 and the abstract. These references relate however to the overall teaching. Nevertheless, the specific example given in Figures 1 to 3 is explicitly related to carpet tiles (see page 2, line 76 to line 86). This is clearly distinct from the limitation of cloth presently included in claim 1 and as defined at paragraph [0003]. The further discussion of Dawson relates specifically to the carpet tile embodiment and is thus not applied to articles made from cloth as recited in the claim.

The Examiner also refers to "a) hand placing (i.e. affixing) the said textile article onto the upper run of the conveyor belt". This apparently suggests that "hand placing" and "affixing" are the same. This is clearly not the case. Placing a cup on a table would not imply that it should be affixed thereto. Any inference that the tiles of Dawson are affixed to the conveyor must be based on pure speculation.

Dawson provides no suggestion that the apparatus of Fig 1 could be used for handling cloth and it is believed that it would be quite unworkable were loose items of "cloth" to be "hand-placed" onto the belt 12. In fact, Dawson specifically provides a distinct arrangement according to Fig. 4 for handling of a web of textile fabric.

Additionally, according to the referenced embodiment of Fig. 1, the tiles are only patterned at pattern stations B, C, D. There is no teaching of painting, coating or finishing as presently specifically required by the claim and as defined at paragraphs [0007] to [0009].

Based on the above, the Examiner is respectfully requested to reconsider the rejection of claims 1 and 24 under 35 U.S.C. § 102.

Regarding claim 6, Dawson teaches pulses of duration of 2 to 30 milliseconds. This corresponds to less than 500 droplets per second and significantly less than the claimed range of more than 100 000 droplets per second.

The Examiner gives no reference to Dawson disclosing irradiation using IR radiation, changing the physical properties of previously applied substances or double sided finishing (the hand-placed tiles would fall off the band). For these reasons, the Examiner is also respectfully requested to reconsider the rejection of claims 6, 14, 15 and 19 under 35 U.S.C. § 102.

Claims 1-3, 5-15, 18-23 and 25-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Dawson in view of Ishihara or Masuda.

According to the Official Action, Dawson teaches the desire to produce very sharp defined patterns and designs on fabric sheet. This is however not the case. Dawson in fact teaches the use of relatively large jets of from 0.2 to 2mm in diameter (see page 3, line 3 to 5). The jets fire pulses of 2 to 30 millisecond duration. Such delivery is consequently very coarse and for this reason is probably adequate only for patterning of the disclosed carpet tiles. In this context there would therefore be little need to affix the tiles to the belt since even were this to be considered, the fineness of the image would not be significantly increased. Dawson thus teaches away from the need to increase the fineness and accuracy of the pattern.

Even were it the case that a sharply defined pattern were desired, a combination of Dawson with either Masuda or Ishihara would not result in the combination of features according to claim 1. Claim 1 is a method for upgrading textile articles including at least two steps of painting, coating or finishing. It is respectfully noted that the argument of the Examiner only appears to apply when a fine pattern or design is required i.e. printing or other forms of graphic design. The Examiner thus appears to admit that there would be no reason to adopt the teaching of Masuda or Ishihara unless such fine patterns are required.

This is in fact the essence of the present invention. To Applicant's best knowledge, it had not been appreciated at the time of the invention that full plane upgrading processes such as painting, coating and finishing, conducted over e.g. the full surface of a textile could also be carried out at pixel precise accuracy. Masuda and Ishihara relate to the printing of cloth or fabric using colored dyes or ink and thus the person of ordinary skill would only consider adapting Dawson to include an affixing step in the light of these documents for the purpose of printing. As discussed in the previous communication, in the case of painting, coating or

finishing, the skilled person would see no benefit in this additional complexity. In the section entitled "Response to Arguments", the Examiner has not explained why the person of ordinary skill would affix the substrate in situations where no sharply defined pattern is desired.

Furthermore, despite combining the features of Ishihara and Masuda, the resulting method would not achieve all the limitations of present claim 1. Claim 1 requires that the steps a) to e) are repeated for a second textile article in a different manner. The Examiner has not provided basis for this feature in any of the art of record. In the case of Dawson, individual carpet tiles are disclosed. It is however not evident to the person of ordinary skill how (or why) such carpet tiles could be affixed to a transport arrangement in the manner of Ishihara and Masuda, since both of those disclosures appear to relate to a single continuous web.

For all of these reasons, Applicant submits that claim 1 is non-obvious over the cited references. The Examiner is respectfully requested to reconsider the rejection and allow claim 1.

Claims 23 and 25 and dependent claims 2, 3, 5 to 15, 18 to 22 and 26 rely on the same inventive features as described in relation to claim 1. For the same reasons, reconsideration and allowance of these claims is also respectfully requested.

Prior to issue of a final rejection, Applicant respectfully requests the opportunity of a telephonic interview. As Applicant's representative is located in Europe, the Examiner is requested to contact the undersigned by email at owend@howrey.com in order to arrange such an interview. It is believed that such an interview could be useful in outlining the considerable differences between the fields of graphic printing according to Masuda or Ishihara and the traditional textile finishing fields to which the present invention relates.

Authorization to Communicate via email

Pursuant to MPEP 502.03, authorization is hereby given to the USPTO to communicate with Applicant's representative concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file. Applicant's representative, David P. Owen, can be reached at email address owend@howrey.com.

Any extension of time that may be deemed necessary to further the prosecution of this application is hereby requested. The Commissioner is authorized to charge any fees which may be required, or credit any overpayment, to **Deposit Account No. 08-3038**, referencing the docket number shown above.

The Examiner is respectfully requested to contact the undersigned in order to resolve any questions.

Respectfully submitted,



Jacobus C. Rasser
Reg. No. 37, 043

Date: 8/20/08

Customer No. 32,894
Howrey LLP
2941 Fairview Park Drive, Suite 200
Falls Church, VA 22042
Fax: 202-383-7195
Tel: 011-31-20-5924411